

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AMANDA M. SHULER.

Plaintiff,

V.

CAROLYN W COLVIN, Acting  
Commissioner of the Social Security  
Administration.

Defendant.

CASE NO. 13-cv-05124 BHS

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration pursuant to sentence four of 42 U.S.C. § 405(g) (ECF No. 17).

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the

1 Acting Commissioner pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings,  
2 including the following:

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- 4 The ALJ should further develop the record, reevaluate the medical source opinions of  
record, and reevaluate the claimant's credibility.
- 5 The ALJ should make a *de novo* determination as to disability, and issue a new decision.

6 Following proper application, plaintiff should be eligible for attorney's fees pursuant to  
7 the Equal Access to Justice Act, 24 U.S.C. § 2412 *et seq.*

8 Given the facts and the parties' stipulation, the Court recommends that the District Judge  
9 immediately approve this Report and Recommendation and order that the case be **REVERSED**  
10 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

11 Dated this 21st day of August, 2013.

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13 J. Richard Creatura  
14 United States Magistrate Judge

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